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REMARKS/ARGUMENTS

Claims 1-20 are pending in this application. By this Amendment, Applicant AMENDS claims 1 and 10.

Applicant's counsel greatly appreciates the courtesies extended by the Examiner in the personal interview of December 20, 2004.

Applicant's counsel and the Examiner discussed the combination of Applicant's Admitted Prior Art (AAPA) and Millhimes et al. Applicant's counsel and the Examiner discussed the above amendment to claim 1 in order to more clearly differentiate the present invention directed to cable assemblies for attaching to at least circuit board from Millhimes et al. directed to jumper cables for jump starting a car. Applicant's counsel and the Examiner also discussed the filing of a Declaration under 37 C.F.R. § 1.132 in support of Applicant's argument that present claimed invention is non-obviousness over the prior art.

The Examiner objected to claims 10-14 and 18 for allegedly containing a minor informality. Applicant has amended claim 10 to correct the minor informality noted by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to claims 10-14 and 18.

The Examiner rejected claims 1-9, 15-17, 19, and 20 under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Millhimes et al. (U.S. 4,386,818). The Examiner rejected claims 10-14 under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Millhimes et al. as applied to claim 1 above, and further in view of Chiran et al. (U.S. 6,599,151). The Examiner rejected claim 18 under 35 U.S.C. §103(a) as being upatentable over AAPA in view of Millhimes et al. as applied to claim 1 above, and further in view of Lopata et al. (U.S. 5,052,949). Applicant respectfully traverses the rejections of claims 1-20.

Claim 1 has been amended to recite:

A cable assembly for connecting to at least one circuit board,
comprising:

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first and second housings; and
at least one cable connecting the first and second housings;
wherein

at least one of the first and second housings has at least one finger grip provided thereon, the at least one finger grip extending from a surface of the at least one of the first and second housings to allow for finger gripping of the at least one of the first and second housings when the cable assembly is being mounted or has been mounted on the at least one circuit board. (emphasis added)

Applicant's claim 1 recites the features of "[a] cable assembly for connecting to at least one circuit board," "at least one of the first and second housings has at least one finger grip provided thereon," and "the at least one finger grip extending from a surface of the at least one of the first and second housings to allow for finger gripping of the at least one of the first and second housings when the cable assembly is being mounted or has been mounted on the at least one circuit board."

With the improved features of Applicant's claim 1, Applicant has been able to provide a cable assembly for connecting to at least one circuit board which prevents damage caused by the camming effect, prevents unwanted separation of a housing enclosing an electrical connector, and allows for reworking or repair of the coaxial cable without damaging the housing enclosing the electrical connector, while minimizing the assembly steps and the area occupied on a PCB upon which the housing is mounted (see, for example, the first full paragraph on page 3 of the originally filed Specification).

The Examiner acknowledged in the fourth paragraph on page 2 of the outstanding Office Action that "[t]he admitted prior art does not disclose finger grips as projections on either side of each housing." The Examiner has relied upon Millhimes et al. to allegedly cure this deficiency.

The Examiner is reminded that "[i]n order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." See In re Oetiker, 24 USPQ2d 1443, 1445

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(Fed. Cir. 1992) and MPEP § 2141.01(a). That is, the Examiner must rely upon analogous art to reject Applicant's claims.

First, the present invention is directed to "[a] cable assembly for connecting to at least one circuit board," as recited in the claims. In contrast, Millhimes et al. is directed to the field of a connector for battery jumper cables and, more specifically, to a connector for battery jumper cables which indicates, on each connector half, the polarity of each jumper cable prior to making connection (first paragraph of column 1 of Millhimes et al.).

Thus, the present invention and Millhimes et al. are clearly in different fields of endeavor.

Second, the present invention is directed to solving a problem of preventing damage caused by the camming effect, preventing unwanted separation of a housing enclosing an electrical connector, and allowing for reworking or repair of the coaxial cable without damaging the housing enclosing the electrical connector, while minimizing the assembly steps and the area occupied on a PCB upon which the housing is mounted (the first full paragraph on page 3 of the originally filed Specification). In contrast, Millhimes et al. is directed to solving the "great" problem of exploding batteries caused by reversing the polarities of the connections of two batteries, which can cause explosion of one of the batteries with attendant personal injury or major car damage (second full paragraph of column 1 of Millhimes et al.).

Thus, the present invention and Millhimes et al. are clearly directed to solving different problems experienced with entirely different devices from two completely different fields of endeavor.

Applicant respectfully submits that Millhimes et al. is clearly non-analogous art, and that the Examiner has improperly relied upon Millhimes et al. to reject Applicant's claim 1.

Applicants respectfully submit that the Examiner has failed to provide any evidence that suggests or hints that AAPA should be modified to include finger grips as

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alleged by the Examiner. Further, Applicants respectfully submit that one of ordinary skill in the art would not look to the jumper cable art when considering what is obvious in the art of cables for connecting to at least one circuit board of the present invention.

Further, Applicant submits herewith three Declarations under 37 C.F.R. § 1.132. The first Declaration is signed by the inventor, Corey Rose. Mr. Rose has been employed by Samtec, Inc., the Assignee of the present application, for seven years and is currently a Product Design Engineer for Samtec, Inc. The second Declaration is signed by Steve Koopman. Mr. Koopman has been employed by Samtec, Inc. for 13 years and is currently the Engineering Manager for Samtec, Inc. The third Declaration is signed by John Hynes. Mr. Hynes has been employed by Samtec, Inc. for 20 years and is currently the Advanced Product Sales Manager.

Each of Messrs. Rose, Koopman, and Hynes is not only responsible for the oversight of the production and development of all Samtec products, but also responsible for monitoring Samtec's competitors' products. Further, none of Messrs. Rose, Koopman, and Hynes is aware of any cable assemblies for connecting to at least one circuit board, other than that disclosed in the present application, that include the features of first and second housings connected by at least one cable, where at least one of the first and second housings has at least one finger grip extending from a surface of the at least one of the first and second housings.

That is, Applicant respectfully submits that, not only was it not known to provide "[a] cable assembly for connecting to at least one circuit board" where "at least one of the first and second housings [of the cable assembly] has at least one finger grip provided thereon," but also it would not have been obvious to modify the structure illustrated in AAPA to have a finger grip.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Millhimes et al.

Both Chiran et al. and Lopata et al. fail to cure the above discussed deficiency in

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AAPA because they both fail to teach or suggest, separately or in combination, the features of "[a] cable assembly for connecting to at least one circuit board," "at least one of the first and second housings has at least one finger grip provided thereon," and "the at least one finger grip extending from a surface of the at least one of the first and second housings to allow for finger gripping of the at least one of the first and second housings when the cable assembly is being mounted or has been mounted on the at least one circuit board" as recited in Applicant's claim 1.

To the extent necessary, Applicants petition the Commissioner for a ONE-month extension of time, extending to March 12, 2005, the period for response to the Office Action dated November 12, 2004.

Accordingly, Applicant respectfully submits that none of the prior art of record, applied alone or in combination, teaches or suggests the unique combination and arrangement of elements recited in claim 1 of the present application.

Claims 2-20 depend upon claim 1 and are therefore allowable for at least the reasons that claim 1 is allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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